

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MARIO LACY,)	
Plaintiff,)	C.A No. 04-11492-REK
)	
v.)	
)	
)	
WILLIAM J. FEENEY, KENNETH)	
HEARNS, JEAN MOSES)	
ACLOQUE,)	
and the CITY OF BOSTON,)	
Defendants.)	
)	

PLAINTIFF'S MOTION IN LIMINE REGARDING HIS CRIMINAL RECORD

Now comes the Plaintiff, Mario Lacy, and hereby moves this Court, in limine, to prohibit the Defendants' counsel from mentioning, and to order Defendants' counsel to instruct its witnesses not to mention any of the Plaintiff's criminal convictions which the Defendant officers had no knowledge of at the time of the incident. Such convictions include any occurring after the incident in question, any involving officers from a police district other than Roxbury, and any occurring before the Defendant officers became aware of the Plaintiff. As grounds therefore, the Plaintiff states the following:

1. The Plaintiff's convictions not known to the officers at the time of the incident were not a factor in their decision to search him and are thus irrelevant. See Fed. R. Evid. 401.
2. Furthermore, any marginal probative value of such evidence is clearly outweighed by its prejudicial effect. See Fed. R. Evid. 403.

Plaintiff Mario Lacy
By his attorneys,

//s// Jessica D. Hedges
Stephen B. Hrones

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CERTIFICATE OF SERVICE

I, Jessica D. Hedges, hereby certify that, on this the 12th day of April, 2006, I have caused to be served a copy of this document, where unable to do so electronically, on all counsel of record in this matter.

//s// Jessica D. Hedges
Jessica D. Hedges